

1 WEST VALLEY CITY, UTAH

2
3 ORDINANCE NO. _____

4
5 Draft Date: 2/10/2010

6 Date Adopted: _____

7 Date Effective: _____

8
9 AN ORDINANCE AMENDING SECTIONS 19-2-1201 and 19-
10 2-1207 OF TITLE 19 OF THE WEST VALLEY CITY
11 MUNICIPAL CODE AND REPEALING SECTIONS 19-2-
12 1202, 19-2-1203, 19-2-1204, 19-2-1205, 19-2-1206, 19-2-108
13 AND 19-2-109 OF TILE 19 OF THE WEST VALLEY CITY
14 MUNICIPAL CODE TO UPDATE THE SIDEWALK
15 ORDINANCE.

16 WHEREAS, to bring the West Valley City Sidewalk ordinance up contemporary
17 standards; and

18 WHEREAS, to protect the health, welfare, and safety of West Valley City residents;

19 NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City,
20 Utah, as follows:

21
22 Section 1. Repealer. Sections 19-2-1202, 19-2-1203, 19-2-1204, 19-2-1205, 19-2-
23 1206, 19-2-1208, 19-2-1209, and any other provision of the West Valley City Municipal Code
24 found to be in conflict with this Ordinance is hereby repealed.

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26 Section 2. Amendment. Sections 19-2-1201 and 19-2-1207 of Title 19, of the West
27 Valley City Municipal Code are hereby amended as follows:

- 28
29 19-2-1201. Obstruction of Sidewalks.
30 19-2-1202. ~~Cellar doors.~~ Repealed.
31 19-2-1203. ~~Receiving Goods.~~ Repealed.
32 19-2-1204. ~~Driving or Riding on Sidewalk.~~ Repealed.
33 19-2-1205. ~~Games on Sidewalks or Streets.~~ Repealed.
34 19-2-1206. ~~Loitering on Sidewalks~~ Repealed.
35 19-2-1207. Snow to be Removed from Sidewalks.
36 19-2-1208. ~~Unlawful to Clog Gutters with Snow.~~ Repealed.
37 19-2-1209. ~~Sidewalks to be Swept in Front of Business.~~ Repealed.

38 19-2-1201. OBSTRUCTION OF SIDEWALKS.

39 (1) It shall be unlawful for any person owning, occupying, or having control of any
40 premises to place or permit upon the sidewalk or the half of the street next to such premises:

- 41 (1)(a) Any broken ware, glass, filth, rubbish, refuse matter, ice, water, mud, garbage,
42 ashes, tin cans, or other substances.

- (2) ~~Any vehicle, lumber, wood, boxes, fencing, building material, dead trees, tree stumps, merchandise, or other thing that shall obstruct such public street or sidewalk on any part thereof, or the free use and enjoyment thereof, or the free passage over and upon the same or any part thereof, without the permission of the City Council. (Utah Code Ann. § 10-8-110, "Streets—Encroachments, lighting, sprinkling, cleaning"; Utah Code Ann. § 10-8-24, "Litter in streets.")~~
- (3)(b) Any objects, including tree limbs that overhang the sidewalk or roadway, if the object is less than 14 feet above the roadway or seven feet above the sidewalk.

(2) It shall be unlawful for any person to drive a self-propelled vehicle or team or to lead, drive, or ride any animal upon any sidewalk, except across a sidewalk at established crossings.

(3) It shall be unlawful for any person to obstruct any sidewalk or street, or to annoy or obstruct the free travel of any person or vehicle.

19-2-1202. CELLAR DOORS. REPEALED.

~~It shall be unlawful for the owner or occupant of any building having a cellar that opens upon any street or sidewalk to fail to keep the door or other covering thereof in good repair and safe for the passage of the customary traffic on said street or sidewalk.~~

19-2-1203. RECEIVING GOODS. REPEALED.

~~It shall be unlawful for any person to place or keep, or to suffer to be placed or kept, upon any sidewalk any goods, wares, or merchandise that he may be receiving or delivering, without leaving a 10-foot wide passageway clear upon such sidewalk. It shall be unlawful for any person receiving or delivering such goods, wares, or merchandise to suffer the same to be or remain on such sidewalk for a longer period than one hour.~~

19-2-1204. DRIVING OR RIDING ON SIDEWALK. REPEALED.

~~It shall be unlawful for any person to drive a self-propelled vehicle or team or to lead, drive, or ride any animal upon any sidewalk, except across a sidewalk at established crossing.~~

19-2-1205. GAMES ON SIDEWALKS OR STREETS. REPEALED.

~~It shall be unlawful for any person to obstruct any sidewalk or street by playing games thereon, such as the games of gall, quoits, marbles, jumping, rolling of hoops, flying of kites, and coasting, or to annoy or obstruct the free travel of any foot passenger, team, or vehicle.~~

19-2-1206. LOITERING ON SIDEWALKS. REPEALED.

~~It shall be unlawful for any person to remain standing, lying, or sitting on any sidewalk for a longer period than two minutes in such manner as to obstruct the free passage of pedestrian thereon; or to willfully remain standing, lying, or sitting thereon in said manner for more than one minute after being asked to move by any police officer; or to willfully remain on any sidewalk in such manner as to obstruct the free passage of any person or vehicle into or out of any property abutting upon said sidewalk or any property having access to such sidewalk.~~

81 **19-2-1207. SNOW TO BE REMOVED FROM SIDEWALKS.**

82 It shall be unlawful for the owner, occupant, lessor, or agent of any property abutting any
83 paved sidewalk to fail to remove or cause to be removed from such paved sidewalk all hail,
84 snow, or sleet falling thereon within ~~one~~**twenty-four** hours after such hail, snow, or sleet has
85 ceased falling; ~~provided, however, that in case of a storm between the hours of 5 p.m. in the~~
86 ~~afternoon and 6 a.m. in the morning, such sidewalk shall be cleaned before 8 a.m. the morning~~
87 ~~following such storm.~~

88 **19-2-1208. UNLAWFUL TO CLOG GUTTERS WITH SNOW. REPEALED.**

89 It shall be unlawful for any person removing snow from a sidewalk as provided in this
90 Chapter or for any person by any means whatsoever to deposit snow, dirt, or other material in a
91 gutter so as to clog the same or prevent the free flow of water therein.

92 **19-2-1209. SIDEWALKS TO BE SWEEPED IN FRONT OF BUSINESS. REPEALED.**

93 It shall be unlawful for the owners or occupants of places of business within the City to
94 fail to cause the sidewalk abutting thereon to be swept or cleaned each morning before the hour
95 of 8 a.m.
96

97 **Section 4. Severability.** If any provision of this Ordinance is declared to be invalid by a
98 court of competent jurisdiction, the remainder shall not be affected thereby.
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100 **Section 5. Effective Date.** This Ordinance shall take effect immediately upon posting in
101 the manner required by law.
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103 **PASSED and APPROVED** this _____ day of _____, 2010.

104
105 WEST VALLEY CITY

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110 _____
111 MAYOR

112 ATTEST:

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116 _____
117 CITY RECORDER
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